



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Applicant : FrancesYen-Potin, Blake Denison,
Barbara Bour, Bernard Bihain, Jean
Baptiste Dumas Milne Edwards, Aymeric
Duclert, Lydie Bougueleret

Appl. No. : 09/842,364

Filed : April 25, 2001

Title : APOLIPOPROTEIN A-IV-RELATED
PROTEIN: POLYPEPTIDE, POLYNUCLEOTIDE
SEQUENCES AND BIALLELIC MARKERS
THEREOF

Grp./A.U. : 1645

Examiner : Unassigned

Assistant Commissioner of Patents
Washington, D.C. 20231

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APR 17 2002

OFFICE OF PETITIONS

Declaration of Cindy McClure

Sir:

I, the undersigned, Cindy McClure, do hereby declare and state that:

1. I am over the age of 18, and a citizen of the United States of America, and a resident of the County of San Diego, State of California.

2. I am employed by Genset Corp., located at 10665 Sorrento Valley Road, San Diego, California 92121, as the Patent Administrator.

3. I prepared and mailed the Declarations for Utility or Design Patent Application for execution by FrancesYen-Potin, Blake Denison, Barbara Bour, Bernard Bihain, Jean Baptiste Dumas Milne Edwards, Aymeric Duclert, and Lydie Bougueleret.

4. On January 16, 2002, I prepared and mailed the Declarations, Powers of Attorney and Assignments with cover letters to Frances Yen-Potin, Barbara Bour and Bernard Bihain.

- a) I mailed Frances Yen-Potin's to her former work address of Valigen, Inc., 11180 Roselle Street, San Diego, California 92121;
- b) I mailed Barbara Bour's to her home address of 11360 Dalby Place, San Diego, California 92126; and,
- c) I mailed Bernard Bihain's to his home address of 2864 Vista Acedera, Carlsbad, California 92009.

These packages including the Power of Attorney and Authorization of Agent (one page), the Declaration for Utility or Design Patent Application (four pages), the Assignment (four pages), a check in the amount of \$1.00, a large self-addressed, stamped return envelope for the return of these documents, a cover letter to each addressee, with a copy of that letter including a line at the bottom for the addressee to sign if he or she were unwilling to sign these documents with a #10 self-addressed and stamped envelope. As of this date, the U.S. Postal Service has returned none of these packages to us, nor have the addressees.

5. On January 14, 2002, I forwarded the Power of Attorney and Authorization of Agent (one page), the Declaration for Utility or Design Patent Application (four pages), the Assignment (four pages) to Helene Sarraseca (my counterpart) in our Paris Office to obtain the signatures of the inventors living in Europe: Jean-Baptiste Dumas Milne Edwards, Lydie Bougueleret and Aymeric Duclert. These executed documents have been returned and are filed with our Response to the Notice to File Missing Parts of Nonprovisional Application.

6. On February 11, 2002, I again sent packages containing the formal documents and return envelopes to Frances Yen-Potin and Barbara Bour. By this time,

however, I had learned that Frances Yen-Potin was no longer employed by Valigen, so I sent her package to her home address: 11705 Tondino Court, San Diego, California 92131. Again I sent Barbara Bour's to her home address. Also, about this time we learned that Bernard Bihain was now in France, and had an address he was using there. I forwarded the formal documents to Helene Sarraseca for forwarding to Mr. Bihain at the address he had given us: 1, rue de Chapry, 35260, Cancale, France. On February 14, 2002, Helene Sarraseca forwarded these documents to Dr. Bihain.

7. I have been informed that Jonathan Burnham (the Vice President and General Counsel for Genset) has spoken to Bernard Bihain twice, and each time Dr. Bihain has promised to sign and return the documents to us.

8. As of this date, we have received no response from Frances Yen-Potin, Barbara Bour or Bernard Bihain to any of our requests, not only in this application but also in connection with other pending applications for which they are co-inventors.

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the

validity of the application, any patent issuing thereon, or any patent to which this
declaration is directed.

Respectfully submitted,

Date: April 5, 2002 By: Cindy McClure
Cindy McClure
Patent Administrator

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